

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

ASHLEY H. THOMPSON, mother,  
JUSTIN THOMPSON, minor child,  
JORDAN THOMPSON, minor child,  
and RONALD C. THOMPSON,  
husband,

Plaintiffs,

v.

GEO MARINE, INC., and  
RUBEN GARZA,

Defendants.

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\* CIVIL ACTION NO. 2:06-cv-420-WHA

**GEO-MARINE INC.'S MOTION FOR SUMMARY JUDGMENT**

COMES NOW the Defendant, Geo-Marine, Inc., ("GMI"), and respectfully requests this Honorable Court, pursuant to Rule 56, Fed.R.Civ.P., to enter summary judgment in its favor. There are no disputed issues of material fact and GMI is entitled to judgment as a matter of law in this case. In support of said motion, GMI submits the following:

1. The Complaint (attached as Exhibit A to GMI's Brief).
2. The Answer of GMI to the Complaint (attached as Exhibit B to GMI's Brief).
3. The Affidavit of Ruben Garza (attached as Exhibit C to GMI's Brief).
4. Brief of GMI in Support of Motion for Summary Judgment.

WHEREFORE, PREMISES CONSIDERED, GMI respectfully requests this Honorable Court to enter judgment as a matter of law in its favor. There are no disputed issues of material fact and, pursuant to Rule 56, Fed.R.Civ.P., GMI is entitled to summary judgment in this case.

Respectfully submitted this the 16<sup>th</sup> day of August, 2006.

/s/ S. Anthony Higgins  
S. ANTHONY HIGGINS  
Attorney for Defendant Geo-Marine, Inc.

OF COUNSEL:  
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#### **CERTIFICATE OF SERVICE**

I hereby certified that on the 16<sup>th</sup> day of August, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Stanley A. Moorhouse, Esq.  
Nelson Law, LLC  
25 S. Court Street  
Montgomery, AL 36104

/s/S. Anthony Higgins  
Of Counsel